

CHAPTER 1037**WILD ANIMAL DEPREDAATION MANAGEMENT
— DEER HARVESTING***S.F. 2328*

AN ACT relating to the deer depredation management program, establishing a deer study advisory committee, and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 481A.10A, Code 2007, is amended to read as follows:

481A.10A FARMER ADVISORY COMMITTEE.

The director shall establish a farmer advisory committee for the purpose of providing information to the department regarding crop and tree damage caused by deer, wild turkey, and other predators. Members of the committee shall include a representative designated by each of the following organizations: the Iowa corn growers association, the Iowa farm bureau federation, the Iowa farmers union, the Iowa state horticulture society, the Iowa Christmas tree growers association, the Iowa nursery and landscape association, the department of agriculture and land stewardship, and the Iowa state university agricultural extension service. The committee shall meet with a representative of the department of natural resources on a semi-annual basis. The committee shall serve without compensation or reimbursement for expenses.

Sec. 2. Section 481C.2, Code 2007, is amended to read as follows:

481C.2 DUTIES.

1. The director of the department of natural resources shall enter into a memorandum of agreement with the United States department of agriculture, animal damage control division. The wild animal depredation unit shall serve and act as the liaison to the department for the producers in the state who suffer crop and horticultural product, tree, or nursery damage due to wild animals.

2. The department shall issue depredation permits to any landowner who incurs crop and horticultural product, tree, or nursery damage of one thousand dollars or more due to wild animals.

3. The criteria for issuing depredation licenses and permits shall be established in administrative rules in consultation with the farmer advisory committee created in section 481A.10A. The administrative rules adopted pursuant to this section shall not require a producer to erect or maintain fencing at a cost exceeding one thousand dollars as a requisite for receiving a depredation license or permit or for participation in a depredation plan.

Sec. 3. **NEW SECTION.** 481C.2A DEER DEPREDAATION MANAGEMENT PROGRAM — LICENSES AND PERMITS.

1. Deer depredation licenses shall be available for issuance as follows:

a. Deer depredation licenses shall be available for issuance to resident hunters.

b. Depredation licenses issued pursuant to this subsection shall be valid to harvest antlerless deer only. Depredation licenses that are issued to a landowner and family members as defined in section 483A.24 shall be in addition to the number of free licenses that are available for issuance to such persons under section 483A.24. A landowner or a family member may obtain one free depredation license for each deer hunting season that is established by the commission. Deer may be harvested with a rifle pursuant to a depredation license in any area and in any season where the commission authorizes the use of rifles.

c. Licenses issued pursuant to this subsection may be issued at any time to a resident hunter who has permission to hunt on the land for which the license is valid pursuant to this subsection.

d. A producer who enters into a depredation agreement with the department of natural resources shall be issued a set of authorization numbers. Each authorization number authorizes a resident hunter to obtain a depredation license that is valid only for taking antlerless deer on the land designated in the producer's depredation plan. A producer may transfer an authorization number issued to that producer to a resident hunter who has permission to hunt on the land for which the authorization number is valid. An authorization number shall be valid to obtain a depredation license in any season. The provisions of this paragraph shall be implemented by August 15, 2008. A transferee who receives an authorization number pursuant to this paragraph "d" shall be otherwise qualified to hunt deer in this state, have a hunting license, pay the wildlife habitat fee, and pay the one dollar fee for the purpose of the deer herd population management program.

2. Deer shooting permits shall be available for issuance as follows:

a. Deer shooting permits shall be available for issuance to landowners who incur crop, horticultural product, tree, or nursery damage as provided in section 481C.2 and shall be available for issuance for use on areas where public safety may be an issue.

b. Deer shooting permits issued pursuant to this subsection shall be valid and may be used outside of established deer hunting seasons.

3. Notwithstanding section 481C.2, subsection 3, a producer shall not be required to erect or maintain fencing as a requisite for receiving a deer depredation permit or for participation in a deer depredation plan pursuant to this section.

4. A person who harvests a deer with a deer depredation license or a deer shooting permit issued pursuant to this section shall utilize the deer harvest reporting system set forth in section 483A.8A and shall not be subject to different disposal or reporting requirements than are applicable to the harvest of deer pursuant to other deer hunting licenses except that any antlers on a deer taken pursuant to a shooting permit shall be delivered to the local conservation officer for disposal.

5. The department shall administer and enforce the administrative rules concerning deer depredation, including issuance of deer depredation licenses and deer shooting permits, that are established by the commission.

6. The department shall make educational materials that explain the deer depredation management program available to the general public, and available specifically to farmers and farm and commodity organizations, in both electronic and brochure formats by June 30, 2008.

7. The department shall conduct outreach programs for farmers and farm and commodity organizations that explain the deer depredation management program. The department shall develop, by rule, a master hunter program and maintain a list of master hunters who are available to assist producers in the deer depredation management program by increasing the harvest of antlerless deer on the producer's property.

Sec. 4. DEER STUDY ADVISORY COMMITTEE. A deer study advisory committee is established for the purpose of studying the best way to maintain a sustainable, socially acceptable deer population in the state while maximizing and balancing the economic value of deer hunting to Iowa's economy with the needs of the agricultural industry and public safety concerns.

1. The advisory committee shall be composed of the following members:

a. One representative from each of the following organizations or entities, to be appointed by the governor:

- (1) Iowa association of county conservation boards.
- (2) Iowa farm bureau federation.
- (3) Iowa farmers union.
- (4) Iowa conservation alliance.
- (5) Iowa bow hunters association.
- (6) Whitetails unlimited.
- (7) Iowa hospitality association.
- (8) Iowa restaurant association.

- (9) Iowa meat processors association.
- (10) Iowa league of cities.
- (11) The department of transportation.
- (12) Iowa woodland owners association.
- (13) Iowa insurance institute.
- (14) Iowa realtors association.
- (15) Iowa chapter of the sierra club.
- (16) Iowa environmental council.
- (17) Iowa nursery and landscape association.
- b. The director of the department of natural resources or a designee.
- c. The secretary of agriculture or a designee.
- d. The director of the department of economic development or a designee.
- e. Two members of the senate, one of whom is appointed by the majority leader of the senate and one of whom is appointed by the minority leader of the senate.
- f. Two members of the house of representatives, one of whom is appointed by the speaker of the house of representatives and one of whom is appointed by the minority leader of the house of representatives.
- 2. The director of the department of natural resources or the director's designee shall serve as the chairperson of the advisory committee.
- 3. Legislative members of the committee are eligible for per diem and reimbursement of actual expenses as provided in section 2.10.
- 4. The committee shall review, analyze, and make recommendations on issues relating to the state's deer population including but not limited to the following:
 - a. The current status of Iowa's deer population, harvest, and population management programs.
 - b. The economic impact and value of Iowa's deer population.
 - c. The cost of damage to crops caused by deer.
 - d. The number and cost of motor vehicle accidents caused by deer.
 - e. A review of the deer management challenges and programs of other midwestern states.
 - f. An assessment of public opinion concerning the number of deer, and the impact and value of Iowa's deer population.
- 5. The advisory committee shall complete its deliberations in December 2008 and submit a final report to the governor and the general assembly summarizing the committee's activities, analyzing the issues studied, and including any other information or recommendations that the committee deems relevant and necessary by January 10, 2009.

Sec. 5. Section 483A.24C, Code 2007, is repealed.

Sec. 6. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 8, 2008

CHAPTER 1038

FINGERPRINTING OF CHILDREN

H.F. 2119

AN ACT relating to taking the fingerprints of a child by a governmental unit.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 726.23, subsection 2, paragraph a, Code 2007, is amended to read as follows:

a. A parent or guardian has given written authorization for the taking of the fingerprints for use in the future in case the child becomes a runaway or a missing child. Only one set of prints shall be taken and the completed fingerprint cards and written authorizations shall be given to the parent or guardian. The fingerprints, written authorizations for fingerprinting, or notice of the fingerprints' existence shall not be recorded, stored, or kept in any manner by a law enforcement agency, except as provided in this subchapter or except at the request of the parent or guardian if the child becomes a runaway or a missing child. When the child is located or the case is otherwise disposed of, the fingerprint cards shall be returned to the parents or guardian.

Nothing in this paragraph "a" shall be construed to prohibit a governmental unit from taking the fingerprints of a child at the Iowa state fair or a county or district fair as defined in section 174.1 as long as the governmental unit complies with the requirements of this paragraph "a".

Approved April 8, 2008

CHAPTER 1039

ENTERPRISE ZONES — COUNTY DISTRESS CRITERIA

H.F. 2195

AN ACT relating to certain county distress criteria under the enterprise zone program.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 15E.194, subsection 1, paragraph c, Code Supplement 2007, is amended to read as follows:

c. The county has experienced a percentage population loss that ranks among the top twenty-five counties in the state between 1995 and 2000.

(1) For purposes of this paragraph "c", prison population shall be excluded in the population loss calculations.

(2) If a county not otherwise qualified to participate in the enterprise zone program qualifies as a result of excluding the county's prison population, a business engaged in the production of ethanol or biodiesel in the county, notwithstanding its status as an eligible business under section 15E.193, shall not be eligible for assistance under section 15E.196.

Approved April 8, 2008